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COMMISSION ON HUMAN RIGHTS
Forty-eighth session
Item 12 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Letter dated 7 August 1991 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

I have the honour to enclose herewith a letter addressed to Your Excellency by the General People's Congress at its seventeenth regular session, held in the city of Sirte in June 1991, concerning the transportation of hundreds of Libyan prisoners of war from Chad to a number of other African countries by the United States of America.

I would be grateful if this letter could be distributed as an official document of the Commission on Human Rights under item 12 of the provisional agenda of its forty-eighth session.

(Signed) Ibrahim Abdul-Aziz OMAR
Chargé d'affaires a.i.

GE.91-13803/1875H

Dear Sir,

The General People's Congress, consisting of representatives of the people's congresses, committees, trade unions and professional associations and federations, meeting at its seventeenth regular session in the city of Sirte to formulate draft resolutions for the basic people's congresses at their second regular session in 1990,

Having been informed by the People's Committee of the People's Bureau for Foreign Liaison and International Cooperation of the peaceful endeavours that the Jamahiriya has made through international and regional organizations, particularly the Security Council and the Commission on Human Rights at the United Nations, concerning the matter of the forcible transfer by the United States of America of hundreds of Libyan Arab prisoners of war from Chad to its territory, taking advantage of the circumstances prevailing at the beginning of the revolution in Chad; and having taken note of the failure of all international and regional organizations to apply the provisions of international law on this matter due to the various forms of intense political pressure which the United States Administration brought to bear on those organizations,

Having considered the details of that forcible transfer operation, which was conducted in a brutal and barbaric manner that violated all international laws, conventions, ethics and practices,

Deems it appropriate to draw your attention to the following:

1. The United States of America has intensified its criminal and inhuman acts of aggression against the Jamahiriya and its citizens. You have already been notified by the People's Committee of the People's Bureau for Foreign Liaison and International Cooperation that the United States of America, taking advantage of the circumstances prevailing during the revolution in Chad, abducted the Libyan Arab prisoners who were being held in Chad and forcibly transported them across African countries to its own territory where it subjected them, and is continuing to subject them, to the most abominable forms of degrading treatment. In this way, the United States of America demonstrated its persistent disregard of all the principles of international humanitarian law and conventions, particularly the provisions of the Geneva Convention of 1949 relative to the Treatment of Prisoners of War, as well as its ongoing violation of human rights and fundamental freedoms.

2. That forcible transfer took place in flagrant violation of the provisions of the Universal Declaration of Human Rights, in which the peoples of the United Nations reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, stipulating that no one should be subjected to torture or to cruel, inhuman or degrading treatment or punishment (art. 5), that no one should be subjected to exile (art. 9), and that everyone has the right to freedom of movement and residence within the borders of his State, as well as the right to leave any country and to return to his country (art. 13).

Through its criminal act, the United States Government deliberately violated the letter and the spirit of the Universal Declaration of Human Rights and of all the conventions and codes of conduct which civilized nations have undertaken to apply. Pursuant to the Charter of the United Nations, the international community should therefore adopt a joint position conducive to the prevention of those terrorist acts and the specialized international agencies should make diligent endeavours to put an end to those irresponsible violations.

3. Through its forcible transfer of those Libyan citizens, the Government of the United States of America is aiming to implement an even greater criminal scheme by using them to carry out acts of sabotage against their country. This has been confirmed by statements made by United States officials in the State Department, the Department of Defense and the intelligence services to the effect that they were recruiting and training Libyan prisoners in Chad to carry out acts of sabotage against their country. All of this was reported in the United States information media. You are aware that such acts constitute a flagrant violation of human rights, since the deplorable conditions in which prisoners live in the United States make it easy for the Government of that country to brainwash them, to induce them to act against the interests of their country and their fellow citizens, and to force them to engage in acts which they would not agree to commit of their own free will. In this way, in addition to violating human rights, that Government is disregarding the obligation of all States to promote international relations based on mutual respect and joint endeavours to further the cause of international peace and security.

4. In a spirit of prudence and responsibility, the General People's Congress wishes to point out, in advance, that it has an accurate record of the names, descriptions and fingerprints of the prisoners who were forcibly transferred and it holds the Government of the United States of America accountable for their acts from the date of their detention. While appealing to the international community and all its organizations to endeavour to thwart those irresponsible measures, the Jamahiriya wishes to emphasize that it no longer has any option but to defend itself within the framework of international law, under which it is entitled to exercise its natural right of self-defence in accordance with Article 51 of the Charter of the United Nations.

5. In order to avoid any regrettable consequences, the General People's Congress - notwithstanding the political endeavours made by the People's Committee of the People's Bureau for Foreign Liaison and International Cooperation, which have hitherto failed due to the obstinate persistence of the Government of the United States of America in carrying out its schemes - deems it appropriate to bring this matter to your attention so that you can discharge your duties as defenders of human rights, in accordance with international conventions, with a view to putting an end to the inhuman

conditions in which the prisoners are living and bringing full pressure to bear on the United States Administration in order to secure their release and deliverance from unlawful detention and enable them to return to their country and live in peace of mind among their families and friends without being subjected to any oppression, injustice or exploitation.

"Peace be with those who follow the true guidance"

The General People's Congress of the
Socialist People's Libyan Arab Jamahiriya,
Sirte, 5 Dhu-l-Hijjah 1400 MWR,
corresponding to 17 June 1991